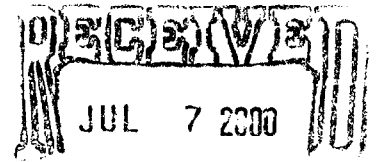


COPY



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

=====

THE DEPARTMENT OF TRANSPORTATION)
OF THE STATE OF ILLINOIS, for and)
on behalf of the People of the)
State of Illinois,)

Petitioner,)

v.)

Case No. T 00-0051

THE BURLINGTON NORTHERN AND)
SANTA FE RAILWAY COMPANY,)
Successor to Chicago Burlington)
and Quincy Railroad Company;)
CITIBANK, N.A., as Trustee)
Under Document No. 97K29140;)
VICTOR ZARRILLI, as Trustee)
Under Document No. 97K29140)
and UNKNOWN OWNERS,)

Parcel No. 1CF0002PE

Respondents.)

Petition for approval of the)
taking of certain properties)
owned by a public utility in)
Kane County, Illinois by)
exercising the right of)
eminent domain.)

=====

RESPONDENT'S FIRST SET OF INTERROGATORIES
DIRECTED TO PETITIONER

Now comes Respondent, The Burlington Northern and Santa Fe Railway Company, by its attorneys, Kenneth J. Wysoglad & Associates and pursuant to 83 Illinois Administrative Code §200.360(c) and propounds the following interrogatories to be answered under oath by Petitioner, the Department of Transportation of the State of Illinois, within twenty-eight (28) days of service hereof;

1. State the full name, business address and title or position of the person or persons signing these answers to interrogatories and the name, business address, title and

DOCKETED

occupation of all persons who were consulted or provided information in response to any of these interrogatories.

ANSWER:

2. Describe in detail the nature of the improvement project at or adjacent to U.S. Route 30 and Dugan Road in Kane County as referred to in Petitioner's Petition.

ANSWER:

3. State in detail how or why the lands and premises described as shown on Exhibits A and B to the Petition are required as part of Petitioner's improvement project.

ANSWER:

4. State in detail how or for what purpose Petitioner intends to utilize the parcel of property described and/or depicted in Exhibits A and B to the Petition.

ANSWER:

5. Will the taking of Respondent's property as described in Petitioner's Petition require the relocation or alteration of any of Respondent's railroad tracks or other facilities. If yes,

please state:

- a. Each of Respondent's track or facility that will require relocation or modification.

ANSWER:

6. Will the improvement project (either during construction or operation thereof) as identified in the Petition serve to disrupt, alter or otherwise restrict, either on a temporary or permanent basis, Respondent's rail operation or common carrier service by railroad. If yes, please state:

- a. The nature of the disruption, alteration or restriction anticipated by Petitioner;
- b. Whether such disruption, alteration or restriction will be permanent or temporary and, if temporary, the anticipated length of each such disruption, alteration or restriction.

ANSWER:

7. With respect to the improvement project referred to in the Petition, state each safeguard Petitioner has in place or intends to put in place to ensure the safety and continuity of Respondent's rail operation and common carrier service during construction of the improvement project and subsequent operation of said improvement.

ANSWER:

8. State the dates Petitioner intends to issue its bid letting and commence construction of the improvement project referred to in the Petition.


ANSWER:

9. State the specific items that Petitioner claims cannot be agreed on between Petitioner and Respondent with respect to the conveyance of the easement as alleged in Paragraph 8 of the Petition.

ANSWER:

Kenneth J. Wysoglad

By:


Michael L. Sazdanoff

Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
Attorneys for Respondent
The Burlington Northern and
Santa Fe Railway Company
118 South Clinton Street
Suite 700
Chicago, Illinois 60661
(312_ 441-0333

State of Illinois)
) SS.
County of Cook)

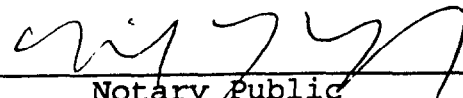
PROOF OF SERVICE

I, Diane J. Hassert, certify that on the 5TH day of July, 2000, I served a copy of the foregoing **RESPONDENT'S FIRST SET OF INTERROGATORIES DIRECTED TO PETITIONER** by depositing same in the U.S. mail depository located at Adams and Clinton Streets, Chicago, Illinois, in envelope(s) with first class postage, prepaid addressed to:

**Mr. Douglas G. Felder
Special Assistant Attorney General
55 West Monroe Street
32nd Floor
Chicago, Illinois 60603**


Diane J. Hassert

Subscribed and Sworn to before me,
this 5TH day of July, 2000.



Notary Public

